

### **Remarks**

Claims 1-37 are pending in the application. No amendments are presented herein. Applicant requests reconsideration. New claims 34-37 are supported by the specification, *e.g.*, at page 5, lines 1-4. No new subject matter is added.

This response is accompanied by a Request for Continued Examination. Should the Examiner not find applicant's arguments persuasive, applicant requests a telephonic interview with applicant and applicant's attorney before issuance of another Office Action.

### **Rejection under 35 U.S.C. § 103**

Claims 1-33 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Tomko *et al.* (U.S. Patent No 6,166,127, "the '127 patent") in view of Floyd *et al.* (U.S. Patent No.5,422,392, "the '392 patent"). This rejection is respectfully traversed.

The Office Action concedes that Tomko fails to disclose the VOC levels recited in the claims. Applicant notes that, although Tomko recites having pendant ionizable groups incorporated into a prepolymer, the patent fails to specifically disclose sulfonated polyols. The only diol having a pendant ionizable group recited in Tomko appears to be dimethylolpropionic acid (see column 6, line 6 and in the examples). Sulfonated polyols were not found in Floyd either. If a sulfonated polyol is disclosed in either Tomko or Floyd the Examiner is requested to point out the location within the document. Accordingly, the combination of cited documents fails to include a disclosure of all the limitations of claim 1. Thus, the Office Action has failed to present a *prima facie* case of obviousness.

Due to the lack of sulfonated polyols in the cited documents there is no basis in Floyd to combine it with Tomko to obtain applicants' claims. A person skilled in the art of preparing coating compositions would not be inclined to combine the disclosure of Floyd, *e.g.*, using an oligomeric modified binder of polymerized ethylenic monomers with Tomko's interpenetrating networks to prepare the claimed polyurethane/vinyl monomer composition prepared from a polyisocyanate and a sulfonated polyol.

Accordingly, it is respectfully requested that the rejection of the claims under 35 U.S.C. § 103 be withdrawn.

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### CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 455-2564 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-0549.

Respectfully submitted on behalf of  
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